

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

OSRAM SYLVANIA, INC.,

Plaintiff, Counter-  
Defendant

vs.

AMERICAN INDUCTION  
TECHNOLOGIES, INC.,

Defendant, Counter-  
Plaintiff

Case No. CV 09-8748 R (VBKx)

**FINAL JUDGMENT**

**Hon. Manuel L. Real**

AND RELATED COUNTERCLAIM.

WHEREAS, on November 30, 2009, plaintiff Osram Sylvania, Inc. (“OSI”) filed its Complaint [Dckt. 1] against defendant American Induction Technologies, Inc. (“AITI”) alleging infringement of U.S. Patent No. 5,834,905 (“the ‘905 patent”);

WHEREAS, on November 1, 2010, AITI filed its Amended Answer and Amended Counterclaim [Dckt. 56-2], denying infringement, asserting affirmative defenses, and alleging counterclaims seeking declarations of noninfringement (First Claim for Relief), invalidity (Second Claim for Relief), and unenforceability due to inequitable conduct (Third Claim for Relief);

WHEREAS, on April 18, 2011, this Court entered Judgment [Dckt. 172] declaring invalid claims 1, 17, 25, 27 and 32 of the ‘905 patent and dismissing

1 with prejudice OSI's claims for infringement against AITI based upon those '905  
2 patent claims;

3  
4 WHEREAS, on May 31, 2011, this Court entered an Order [Dckt. 203]  
5 dismissing with prejudice AITI's First Claim for Relief for non-infringement and  
6 Second Claim for Relief for invalidity with respect to claims 2, 3, 4, 5, 6, 7, 8, 9,  
7  
8 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 26, 28, 29, 30, and 31 of the  
9 '905 patent;

10  
11 WHEREAS, on October 28, 2011, this Court entered Judgment [Dckt. 257]  
12 that the '905 patent is not unenforceable due to inequitable conduct and dismissed  
13 AITI's Third Claim for Relief for unenforceability with prejudice.

14  
15 **NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND**  
16 **DECREED** that **FINAL JUDGMENT** is hereby entered in accordance with the  
17 foregoing.

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20 Dated: November 28, 2011



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Hon. Manuel L. Real  
United States District Court Judge